

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

H. Joiner et al.

Application No. 10/029,591

Filed: 12/21/2001

For: SYSTEM, METHOD AND COMPUTER
PROGRAM PRODUCT FOR A NETWORK
ANALYZER BUSINESS MODEL

)
) Group Art Unit: Unassigned
)
) Examiner: Unassigned
)
) Atty. Docket No. NAI1P063/
) 01.305.01
)
)
) Date: May 28, 2003
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)
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 28, 2003.

Signed: _____

Erica L. Farlow

Mail Stop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(II)

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Sir:

I hereby petition for Advancement of Examination of the above referenced application under 37 C.F.R. 1.102 and MPEP 708.02(II).

As the undersigned practitioner, being duly registered to practice before the U.S. Patent and Trademark Office, I make the following statements in support of this petition.

I am informed, believe and allege thereon that an infringing device or product is actually on the market and/or an infringing method is actually in use (MPEP 708.02(II)(A)).

I have made a rigid comparison of the alleged infringing device, product or method with the claims of the application, and in my opinion some of the claims are unquestionably infringed (MPEP 708.02(II)(B)).

I have made or caused to be made a careful and thorough search of the prior art (MPEP 708.02(II)(C)).

Uncovered references were submitted previously in an information disclosure statement (IDS).

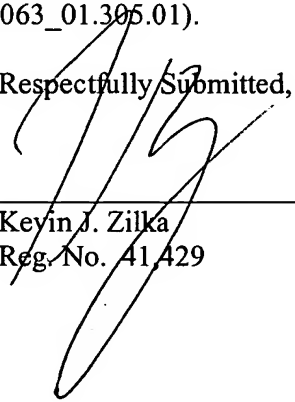
FEES

Attached is a check in the amount of \$130 for the Petition fee. However, if it is determined that any additional fee is due the Office is authorized to charge the amount or credit any overpayment to deposit account 50-1351 (Order No. NAI1P063_01.305.01).

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Respectfully Submitted,



Kevin J. Zilka
Reg. No. 41,429